

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

RONALD J. ALLISON,

Plaintiff,

v.

STEIN TREATMENT TEAMS,

Defendant.

Case No. 2:21-cv-01883-JAD-EJY

**ORDER**

**I. DISCUSSION**

On October 12, 2021, Plaintiff, an inmate currently located at Southern Nevada Adult Mental Health Services, submitted a civil rights complaint under 42 U.S.C. § 1983. ECF 1-1. Plaintiff did not submit a complaint in compliance with Local Special Rule 2-1. Plaintiff also did not submit an application to proceed *in forma pauperis* or pay the full \$402 filing fee in this matter.

**A. Plaintiff's Initiating Document**

The Court notes that Plaintiff's document at ECF No. 1-1 does not comply with Local Special Rule 2-1 ("LSR 2-1"). Under LSR 2-1, a civil rights complaint filed by a person who is not represented by an attorney must be submitted on the form provided by the court or must be legible and contain substantially all the information called for by the court's form. Plaintiff's complaint does neither.

Further, Plaintiff seeks to certify a potential class of persons who were subjected to the same practices alleged in their Complaint. Pro se plaintiffs may only represent themselves--they are prohibited from pursuing claims on behalf of others in a representative capacity. *Simon v. Hartford Life, Inc.*, 546 F.3d 661, 664 (9th Cir. 2008) (collecting cases and noting that courts routinely prohibit pro se plaintiffs from representing others); *Russell v. United States*, 308 F.2d 78, 79 (9th Cir. 1962) ("A litigant appearing [pro se] has no authority to represent anyone other than himself."). Thus, to

the extent Plaintiffs seek relief on behalf of a class of similarly situated persons, they are not permitted to do so. **Thus, any amendment to Plaintiff's complaint must remove requests for relief on behalf of others.**

**B. There is No Application to Proceed in Forma Pauperis**

Under 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, an inmate seeking to commence a civil action may apply to proceed *in forma pauperis*, which allows the inmate to file the civil action without prepaying the full \$402 filing fee. To apply for *in forma pauperis* status, the inmate must submit all three of the following documents to the Court:

(1) a completed **Application to Proceed in Forma Pauperis for Inmate**, on this Court's approved form (i.e. pages 1 through 3 with the inmate's two signatures on page 3),

(2) a **Financial Certificate** properly signed by both the inmate and a facility or jail official (i.e. page 4 of this Court's approved form), and

(3) a copy of the **inmate's facility or jail trust fund account statement for the previous six-month period**. If Plaintiff has not been at the facility a full six-month period, Plaintiff must still submit an inmate account statement for the dates he has been present at the facility.

**II. ORDER**

IT IS HEREBY ORDERED that the Clerk of the Court shall send to Plaintiff the approved form for filing a § 1983 complaint, instructions for the same, and a copy of his original document at ECF No. 1-1.

IT IS FURTHER ORDERD that Plaintiff shall have until on or before **December 17, 2021** to submit a complaint to the Court in compliance with LSR 2-1. Plaintiff is reminded that **any amendment to Plaintiff's complaint must remove requests for relief on behalf of others.**

IT IS FURTHER ORDERED that, if Plaintiff does not file a complaint in compliance with LSR 2-1 on or before **December 17, 2021**, this case will be subject to dismissal without prejudice for Plaintiff to refile the case with the Court, under a new case number, when Plaintiff is able to file a complaint in compliance with LSR 2-1.

1 IT IS FURTHER ORDERED that the Clerk of the Court shall send Plaintiff the approved  
2 form application to proceed *in forma pauperis* by an inmate, as well as the document entitled  
3 information and instructions for filing an *in forma pauperis* application.

4 IT IS FURTHER ORDERED that on or before **December 17, 2021**, Plaintiff shall either pay  
5 the full \$402 filing fee for a civil action (which includes the \$350 filing fee and the \$52  
6 administrative fee) or file with the Court:

7 (1) a completed **Application to Proceed in Forma Pauperis for Inmate** on this Court's  
8 approved form (i.e. pages 1 through 3 of the form with the inmate's two signatures on page  
9 3),

10 (2) a **Financial Certificate** properly signed by both the inmate and a facility or jail official  
11 (i.e. page 4 of this Court's approved form), and

12 (3) a copy of the **inmate's facility or jail trust fund account statement for the previous**  
13 **six-month period**. If Plaintiff has not been at the facility a full six-month period, Plaintiff  
14 must still submit an inmate account statement for the dates he has been present at the facility.

15 IT IS FURTHER ORDERED that, if Plaintiff does not file a fully complete application to  
16 proceed *in forma pauperis* with all three documents or pay the full \$402 filing fee for a civil action  
17 on or before **December 17, 2021**, together with his complaint, this case will be subject to dismissal  
18 without prejudice for Plaintiff to refile the case with the Court, under a new case number, when  
19 Plaintiff has all three documents needed to file a complete application to proceed *in forma pauperis*.

20 DATED this 18th day of October, 2021.

21  
22   
23 ELAYNA J. YOUCHAK  
24 UNITED STATES MAGISTRATE JUDGE  
25  
26  
27  
28